

# EXHIBIT H



# City of Bayonne

## LAW DEPARTMENT

630 Avenue C, Bayonne, NJ 07002

Phone (201) 858-6091

Fax (201) 858-6092



**Mark A. Smith, Mayor**

**Charles M. D'Amico, Corporation Counsel**

**Via Hand Delivery**

January 12, 2010

Ms. Stacie Percella  
25 West 40th Street  
Bayonne, NJ 07002

**Re: Disciplinary Action dated November 6, 2009**

Dear Ms. Percella:

The disciplinary hearing regarding the above referenced matter is being rescheduled to Monday, January 25, 2010 at 2:00 p.m. in the Law Department conference room.

In response to your written request for "discovery" please be advised that the employer is not obligated to provide any information regarding the matter giving rise to the disciplinary action to the employee prior to the disciplinary hearing.

Notwithstanding same, and without prejudice to the City's position, please be advised that Claims Investigator Vincent Cuseglio will be called on behalf of the City of Bayonne to provide testimony regarding his investigation into this matter that confirmed that Khuong Ton Duong did not appear before you nor did he execute the document attached as exhibit A of your Notice of Disciplinary Action dated November 6, 2009 that you notarized in your official capacity as Deputy Register of the City of Bayonne and licensed notary of the State of New Jersey.

We may contact Mr. Khuong Ton Duong by telephone conference should the information revealed by Claims Investigator Cuseglio is refuted by you. This letter does not preclude the City from calling any other witnesses to testify regarding this matter.

If you wish to resolve this matter without the necessity of a full hearing, you may contact me directly.

Very truly yours,

  
DONNA M. RUSSO  
Assistant City Attorney

DMR/nmi

cc: Scott Corrigan, Union Representative